

**BOARD OF SELECTMEN**  
**OCTOBER 15, 2014**  
**REGULAR SESSION**

Members Present: David Parker, Nelson Almeida, David Andrade,  
Michael Brady, Gary Sagar

Town Administrator: Shawn E. Cadime

Executive Assistant: Anne P. Rogers

Town Counsel: Atty. Joseph Fair

Chairman Parker opened the meeting at 6 p.m. followed by the Pledge of Allegiance and moment of silence.

He announced that, in accordance with M.G.L. Chapter 30, Section 20, anybody recording the meeting must notify the Chairman. The Board of Selectmen is recording the meeting both audio and video.

**BOARD AND COMMITTEE OPENINGS UPDATE**

Mr. Andrade advised that volunteers are needed on the Capital Improvement Committee, Conservation Commission, Cultural Council, Economic Development Committee, Energy Committee, Historical Commission, Property Tax Work-Off Committee, and Zoning Board of Appeals.

**EXECUTIVE SESSION**

At 6:05 p.m. Mr. Sagar motioned, seconded by Mr. Brady, to go into Executive Session per M.G.L. Chapter 30A, Section 21(1) to discuss the complaints brought against a public officer; followed by return to Open Session.

The vote: Mr. Sagar – Aye; Mr. Brady – Aye; Mr. Almeida – Aye; Mr. Andrade – Aye; Chairman Parker - Aye.

**RECONVENE TO OPEN SESSION**

Chairman Parker reconvened the meeting at 6:46 p.m.

The order of business moved to:

## **OLD BUSINESS**

### **Discussion and Vote on the Fall Town Meeting Warrant Articles**

With respect to the Article on charter changes, Mr. Sagar noted that the other employees in the Board of Health were not addressed.

Mr. Brady felt the language should be changed to be consistent.

Atty. Fair said the Board of Health differs from other departments in that the Charter states that the Health Agent and additional personnel should be appointed. He understood it was the assistant health agent and the assistant in the office. Those positions could be added to the draft warrant article.

Mr. Brady noted that the secretary is in the clerical union.

Atty. Fair said if a specific position is not identified in the Charter it would fall to the Board of Selectmen. That would not be the case with the Board of Health. The question would be whether the additional appointees are subject to the three-year appointment.

He suggested a catch all for the positions not specified in the Charter. He asked if there are any other positions.

Mr. Cadime asked if the Board of Health would be able to create new positions.

Atty. Fair responded it would depend on how the money is appropriated. Usually, it is voted as salaries for a department. It should be clearly delineated as to who appoints. Right now there is a consensus with all the other boards.

Mr. Cadime agreed.

### **Discussion and Vote to Appropriate Funding for a Full Time Parks & Recreation Director**

Chairman Parker advised he put this item on the agenda. For the past six years, the Board has discussed a full time position and due to budget restraints the Town Administrator found it necessary to cut that recommendation. With the amount of free cash, the time has come to make this position full time. He read from other communities by population that have full time directors. He noted that all Board members were in agreement to make it full time. It is time to put it on the warrant for Town Meeting.

Mr. Andrade said the person would have to be terminated if there is no money to fund the position the following year.

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Chairman Parker responded that this position brings in almost enough in permit fees to pay for itself. Recreation is not just for children. It is for adults and senior citizens as well.

Mr. Almeida said his children have benefitted from this program. He noted how many programs are sponsored by the Recreation Program.

Mr. Brady said it is very important for the youth involved in sports.

Mr. Sagar noted that he did not support this position. He doesn't dispute that Recreation does a wonderful job. However, recreation activities also take place at the library and Human Services. He can't support this until he sees a plan. The Chairman of the Recreation Commission told him no one asked for a plan.

Mr. Sagar added that Mr. Cadime did not know about this until it was put forward for the agenda. This is on the warrant and it went to the Finance Committee. He suggested they look at this and make it a priority for next year.

Mr. Andrade said he personally was not involved in any discussions in the past and he has no background information.

Bridget Garrity, part time director, stated that since 2011 they have taken in \$23,000 in field use fees. She had copies of a breakdown on activities sponsored by Recreation, Human Services and the library.

Mr. Sagar felt it is wrong to charge a fee to athletes for the use of fields that are paid for by taxpayers.

He questioned why this item was presented two weeks after the warrant closed. He bothered him that the Town Administrator did not know about this.

Chairman Parker noted the warrant was reopened several times. He doesn't know why it went to the Finance Committee without a vote of the Board.

Mr. Brady indicated he would have a problem doing it now. He would like to see a full time director starting in July 2015. He suggested they consolidate activities with Human Services.

Mr. Sagar noted that he attended the Recreation Commission meeting the previous night and stressed that the Board fully supports recreation. He will look forward to it in the new budget.

Chairman Parker said he brought this up three times within the last six months, not just last week.

Mr. Cadime clarified that this is within the purview of the Board. He does not take issue with the fact that the Chairman put this on the agenda. There is a culture here and he felt he had made himself clear. He has a department head standing before him for the first time; not having seen any of this documentation is uncalled for. He likes to protect his department heads. This won't happen again. He will not tolerate this. As Town Administrator, it is his responsibility to vet this type of thing. The Recreation Department knew nothing about it. It was put on by Mr. Alexander for the Finance Committee. He wants to make sure these figures are accurate. He will handle this internally.

Chairman Parker said he is unhappy with that too.

**Discussion and Vote to Appropriate Funding of \$10,000 for the Economic Development Committee for Marketing**

Mr. Andrade wanted to make sure that any expenditure would come before the Board.

Mr. Sagar asked why the chairman of that committee did not reach out to Mr. Cadime.

Mr. Cadime felt that marketing is important and a move in the right direction. He would support opening the warrant to include this item.

A motion was made by Mr. Sagar, seconded by Mr. Brady, and it was unanimously

**VOTED:** To open the warrant.

A motion was made by Mr. Sagar, seconded by Mr. Brady, and it was unanimously

**VOTED:** To include on the warrant the request to appropriate funding for the Economic Development Committee for marketing and that expenditures must be approved by the Town Administrator; not to exceed \$10,000.

**Discussion and Vote on the Permanent Building Committee By-law**

Mr. Brady said it was going back to the library with changes.

Mr. Sagar said the School Committee chairman was going to bring it to the School Committee tonight. The Board of Library Trustees is also meeting tonight.

A motion as made by Mr. Brady, seconded by Chairman Parker, and it was unanimously

**VOTED:** To include a permanent building committee by-law on the warrant for the Fall Town Meeting.

**Discussion and Vote on the Revision of the Category 11 By-law Recycling**

Mr. Cadime advised the revised language is included in the warrant article.

Mr. Sagar noted that he suggested they eliminate the blue bags. A history of the blue bags since 2011 shows the budget, tipping fees, and what was left over. The big reason why monies were left over (\$170,000) is because Mr. Carroll wanted to increase the fee and create a capital fund which could be used to purchase equipment.

The blue bags pay the tipping fee for rubbish. He had costs based on half a year and a full year. For the one bag user, it is a wash. It costs \$3.06 for a person who uses three blue bags per week. Regular bag is 90 cents. It is \$112.32 for 52 bags.

On a yearly basis, deducting the \$39.95 and adding the fee necessary to replace the revenue for tipping still shows a \$72 annual savings. The only ones benefitting from this new contract is ABC. He felt they could get rid of the blue bags and not have a negative effect on the system. He would like to see that happen by January.

In talking to Mr. Cadime and Mr. Alexander, and they proposed a less costly bag with the intent to phase out the bags.

Mr. Cadime advised that Mr. Alexander and he are reluctant to get rid of blue bags. It is a fair system for charging individuals who do not throw out as much trash. People might not recycle if they do away with the blue bags.

He asked Mr. Alexander to put together a three-year outlook on the budget to show what the impact would be on free cash and what the actual trash fee would be over those years.

If phasing it out, in FY'15, they would be looking to apply \$104,000 retained earnings and drop the blue bag revenue. They would reduce the revenue of \$100,800 in half. The trash fee would go to \$225. In FY'17, the trash fee would have to be \$239. In FY' 18, the trash fee would be \$250.

Mrs. Christine Allen talked about the blue bags. Everybody starts out with just one container. If they are allowed to buy just one kind of trash bag, that would be a big relief to everybody.

Mr. Cadime said the fixed trash fee would have to increase because there isn't the additional revenue from the bags.

Mrs. Allen felt residents should be able to use one bin with any kind of bag. If they exceed that, they would have to use the blue bags.

Mr. Cadime said they have asked for a weekly report of those who do not use the blue bags.

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He said they have instituted a “trust with verification” audit at the ABC facility in New Bedford.

Mr. Sagar didn’t like the charges applied to the sanitation fund.

Chairman Parker did not like the time restrictions for putting out the trash.

A motion was made by Mr. Almeida, seconded by Mr. Sagar, and it was

**VOTED:** 4 Ayes; 1 Nay; To accept the changes to the warrant as printed.

The vote: Mr. Almeida – Aye; Mr. Sagar – Aye; Mr. Andrade – Aye; Chairman Parker – Aye; Mr. Brady – Nay.

### **Discussion and Vote on the Fall Town Meeting Warrant Articles**

A motion was made by Mr. Sagar, seconded by Mr. Brady, and it was unanimously

**VOTED:** To include Article 1 (Reports of Town Officers or Committees) on the warrant for the Fall Town Meeting.

A motion was made by Mr. Brady, seconded by Mr. Sagar, and it was unanimously

**VOTED:** To include Article 2 (SRPEDD aggregation program) on the warrant for the Fall Town Meeting.

A motion was made by Mr. Brady, seconded by Mr. Andrade, and it was unanimously

**VOTED:** To include Article 3 on the warrant for the Fall Town Meeting minus line 82 and line 29 and 49 subject to further information.

A motion was made by Mr. Brady, seconded by Mr. Sagar, and it was unanimously

**VOTED:** To include Article 4 on the warrant for the Fall Town Meeting (Planning Board).

A motion was made by Mr. Sagar, seconded by Mr. Brady, and it was

**VOTED:** 4 Ayes; 1 Nay; To include Article 6 on the warrant for the Fall Town Meeting (\$10,000 technology for Banna Fire Station).

The vote: Mr. Sagar – Aye; Mr. Brady – Aye; Mr. Almeida – Aye; Chairman Parker – Aye; Mr. Andrade – Nay.

Mr. Andrade questioned why technology wasn’t included in the total cost of the building.

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Mr. Almeida noted that Chief Healy advised the amount would be less than \$10,000 because of additional funding and grants.

A motion was made by Mr. Brady, seconded by Mr. Sagar, and it was unanimously

**VOTED:** To include Article 7 on the warrant for the Fall Town Meeting (\$500,000 from free cash to municipal capital stabilization fund).

A motion was made by Mr. Sagar, seconded by Mr. Brady, and it was unanimously

**VOTED:** To include Article 8 on the warrant for the Fall Town Meeting (\$500,000 transfer from free cash to OPEB trust fund).

A motion was made by Mr. Sagar, seconded by Mr. Brady, and it was unanimously

**VOTED:** To include Article 9 on the warrant for the Fall Town Meeting (transfer from free cash the sum of \$35,000 for replacing and equipping a DPW vehicle).

A motion was made by Mr. Brady, seconded by Mr. Sagar, and it was unanimously

**VOTED:** To include Article 10 on the warrant for the Fall Town Meeting (Permanent Building Committee).

A motion was made by Mr. Brady, seconded by Mr. Sagar, and it was unanimously

**VOTED:** To include Article 11 on the warrant for the Fall Town Meeting (Charter changes for the four positions as previously discussed).

A motion was made by Mr. Brady, seconded by Mr. Sagar, and it was unanimously

**VOTED:** To close the warrant for the Fall Town meeting.

Mr. Cadime will forward to Kopelman & Paige and have it returned for a final vote at the next meeting.

**COMMUNITY SPEAKS** – None.

**OTHER BUSINESS** – None.

### **BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS**

Mr. Andrade congratulated the boys' soccer team who defeated Fairhaven 4-3.

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Chairman Parker noted that the junior varsity boys' soccer team is undefeated

Mr. Almeida asked for an update on authorization to remove signs from poles.

Mr. Cadime said he asked for a copy of the authorization letter from Verizon.

Mr. Almeida announced that the 7<sup>th</sup> Annual Food for Fuel spaghetti supper will be held on Wednesday, October 22, 2014, at Seekonk High School from 4:30 to 7 p.m. Tickets must be purchased in advance. Adults \$10, children 4-12 \$5 and children under 4 are free. The event is sponsored by the Seekonk Non-Profit Coalition to benefit low-income families.

He asked for an update on the tenants at the proposed senior center building.

Mr. Cadime advised he had a conference call with Atty. Fair and Atty. Klein. There are requirements associated with relocation of the tenants. The Town would have to hire a relocation specialist except if there is dedicated staff specifically for relocation. There is also the question of exactly what does relocation mean.

In response to Chairman Parker's question, Mr. Cadime advised the part time building inspector position was advertised.

Chairman Parker congratulated Mr. Cadime on passing the procurement officer exam with an A average.

Mr. Brady said he is still disgruntled about Anthony and Cole Streets. He is inclined to include it on the agenda to make it a three way stop regardless of DPW recommendation. He said the sight lines are no better than they were.

Mr. Cadime said it is within the jurisdiction of the Board.

Chairman Parker would like to see if the homeowner would cut down the hedges.

Mr. Almeida said there has been no communication with the owner.

Chairman Parker agreed that the Board should take a vote. It is going nowhere.

Mr. Sagar requested an agenda item for the November 5, 2014 meeting to discuss adjustment of trash fees as of January 1, 2015.

He provided an update on the Banna Fire Station. There is a meeting next Tuesday on site with all individuals involved. The modular company has been doing the work they can do.

Mr. Sagar asked when the Board would sign a contract for the senior center architect.



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Mr. Cadime advised that three of the six architects were interviewed. There are a few more to do. A recommendation will be made to the building committee. The Board of Selectmen will be asked to vote on it at the November 5, 2014 meeting. He has to negotiate a fee. If they can't reach an agreement with the top firm, they will move to the next qualified.

He would like to see this project completed by September or October of 2015. He has been very clear with the budget of \$1.4M.

Mr. Sagar said on the permanent building committee – the bylaw is prospective.

He wanted to keep a dialog going with the boards and commissions to talk about the charter changes. There will be some administrative polices to discuss with them.

Chairman Parker asked if there were any bids for the animal shelter.

Mr. Cadime said no. He will meet with the building committee to regroup. There were some concerns about the size of the documents submitted by the architect.

Mr. Almeida felt they were supposed to use the town electrician and plumber for the senior center to save money.

Mr. Cadime advised that, once the architect is selected, all parties involved will sit down and identify the needs for that building. The architect will design to meet those needs and come up with a budget.

Mr. Brady motioned, seconded by Mr. Sagar, and it was unanimously

**VOTED:** To dissolve at 8:08 p.m.

Respectfully submitted,

David Andrade, Clerk

Patricia Gamer, Secretary